

## **Customer Service**

**Recommendation 4A:** All new all new judicial appointments should be full-time appointments and timing and costs of this policy shift be phased in.

The Commission observed that transition to a full-time judiciary would address inevitable conflict of interest concerns that arise involving judges who also work as attorneys. In recent years the legislature, has converted nine part-time judges to full-time status.

### **Conversion of Part-Time Judges to Full-Time Status:**

The Judicial branch requested, and the legislature appropriated, \$151,240 in FY 08 and \$207,478 in FY 09 to support conversion of three part-time district court judges and one part-time probate court judge to full-time during the current biennium. Those four conversions will occur only on recommendation of the New Hampshire Supreme Court, approval of the Fiscal Committee, appointment by the Governor, and confirmation by the Executive Council. Consistent with the Citizens Commission recommendation, timing and costs of transition to a full-time judiciary will be phased-in.

### **Elimination of District Court Special Justices by Attrition:**

Effective June 18, 2007 the Legislature enacted legislation which eliminates district court special justices unless the need for a special justice is certified in writing by the Supreme Court to the Governor. Elimination of special justices through attrition will gradually reduce the number of part-time judges.

### **BACKGROUND: Judicial Council Study of Part-Time Judging in New Hampshire's District and Probate Courts**

In the spring of 2005, the New Hampshire Judicial Council, an independent executive branch agency which considers issues involving court administration, began an analysis of part-time judge system. The effort has been lead by Dartmouth College Political Science Professor Richard Winters who has met with interested attorneys, judges, administrators, and lawmakers.

Professor Winters has gathered information on the costs and benefits of the part-time judge system and collected opinion on actual and apparent conflicts of interest. He has also examined the fiscal impact of a transition to a full-time judiciary in the district and probate courts.

The Judicial Council has endorsed the gradual transition to a full-time bench. Professor Winters is expected to recommend that the Council support legislative changes that will create a formal plan for that transition.